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| APPLICATION NO.          | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|-------------|----------------------|---------------------|------------------|
| 10/577,703               | 12/12/2006  | Masahiro Saito       | 81887.0145          | 3181             |
| 26/21 7590 10/29/2010    |             |                      |                     |                  |
| Hogan Lovells US LLP     |             |                      |                     |                  |
| 1999 AVENUE OF THE STARS |             |                      |                     |                  |
| SUITE 1400               |             |                      |                     |                  |
| LOS ANGELES, CA 90067    |             |                      |                     |                  |
| EXAMINER                 |             |                      |                     |                  |
| DEAN, JR, JOSEPH E       |             |                      |                     |                  |
| ART UNIT                 |             | PAPER NUMBER         |                     |                  |
| 2617                     |             |                      |                     |                  |
| NOTIFICATION DATE        |             | DELIVERY MODE        |                     |                  |
| 10/29/2010               |             | ELECTRONIC           |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LAUSPTO@hhlaw.com

robert.gruwel@hoganlovells.com

dcptopatent@hoganlovells.com

# Office Action Summary

**Application No.**

10/577,703

**Applicant(s)**

SAITO, MASAHIRO

**Examiner**

JOSEPH DEAN, JR

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant amended claims 1, 3, 4 and 6-8.
2. Status of claims:

Claims 1-9 are pending.

***Response to Arguments***

3. Applicant's arguments filed 8/13/10 have been fully considered but they are not persuasive. The rejection of Fyfe et al. (US5428666) (hereinafter Fyfe), Raviv et al. (US20020164983) (hereinafter Raviv) and the secondary references identified in the office action addresses claimed subject matter, therefore claims 1-9 will remain rejected.
4. The applicant argues that Fyfe does not teach communication interfaces of claim 1, and does not teach a communication interface selecting section which selects a communication interface via the mobile communication terminal transmit data from the plurality of communication interfaces.
5. In response, claim 1 recites "...a communication interface selecting section which selects a communication interface via which the mobile communication terminal transmits data, from the plurality of communication interfaces...etc". Fyfe discloses the plurality of number assignment modules (NAMs) selects automatically one of the NAMs for use for communication, the mobile terminal attempts to match system identification data received control signals with system identification data stored in NAMs, an on

encountering a match, will use the NAM containing the match system identification for telephone communication(Abstract). Therefore, the plurality of NAMs select one NAM (which is either enabled or disabled by user interface 52, if enabled select the mobile terminal can make use of NAMs stored in RAM with accordance to automatic NAM selection routine (col.4 line 55-65, col.5 lines 3-7 and Fig 2) , where the mobile terminal transmit data from plurality of NAMs interfaces.

6. The applicant argues that Raviv does not teach a mobile terminal having a plurality of communication interfaces for claim 3, for example paragraph 0245 of Raviv states each roaming mobile telephone device is associated with a home network, and since each mobile telephone communicates with only one home network, the mobile telephone would have only one communication interface.

7. In response, claim 3 recites "...a mobile communication terminal having a plurality of communication interfaces and a communication interface identification address for identifying a communication interface of the mobile communication terminal...etc". In Raviv reference paragraph 0245, 0249 and 0250 discloses a mobile device interfacing with a home network and service network, where the service network is facilitated through the interface apparatus. Paragraph 0288, Fig 7, shows an interfacing apparatus that support a mobile device which interfaces with a mobile network and service network and is associated with respective interfacing links.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fyfe (US5428666).

Per claim 1, Fyfe discloses a mobile communication terminal comprising: a plurality of communication interfaces (abstract, **i.e. plurality of Number Assignments Modules**); a communication interface selecting section which selects a communication interface via which the mobile communication terminal transmit data from the plurality of communication interfaces (abstract,col.4 line 55-65, col. 5 lines 3-7); a terminal identification address assigning section which assigns a terminal identification address for identifying the mobile communication terminal to the data (col.4 lines 42-54); a communication interface identification address assigning section which assigns a communication interface identification address for identifying the selected communication interface to the data (col.4 lines 13-30); and a transmitting section which transmits the data being assigned with the two kinds of addresses via the selected communication interface (col.2 lines 3-22 and col.3 lines 3-23).

Per claim 6, refer to same rationale as explained in claim 1 (the Fyfe reference inherently has computer readable medium, where in Fig 1, shows a process, the

process would be implemented by a processor that requires a "computer readable medium", e.g., a RAM, to function).

10. Claims 3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Raviv (US20020164983).

Per claim 3, Raviv discloses a mobile communication managing apparatus comprising: a mobile communication terminal side receiving section which receives data that is assigned with two kinds of addresses including a mobile communication terminal identification address for identifying a mobile communication terminal having a plurality of communication interfaces and a communication interface identification address for identifying a communication interface of the mobile communication terminal (paragraph 0249 and 0250); an address storing section which stores an address table in which the mobile communication terminal identification address and the communication interface identification address that are assigned to the received data are associated with each other (paragraph 0253, 0257 and 0284); a communication apparatus side transmitting section which transmits the data received by the mobile communication terminal side receiving section to a certain destination (paragraph 0252); a communication apparatus side receiving section which receives data being assigned with a mobile communication terminal identification address (paragraph 0252, Fig 3); a communication interface detecting section which detects a communication interface identification address that corresponds to the mobile communication terminal identification address being assigned to the data received by the communication apparatus side receiving section based on the address table (paragraph 0254); and a mobile communication terminal

side transmitting section which transmits the data received by the communication apparatus side receiving section via the detected communication interface (paragraph 0245, i.e. **data is sent through authorization server and responses sent via interface apparatus to the mobile device**).

Per claim 7, refer to same rationale as explained in claim 3 (the Raviv reference inherently has computer readable medium, where in Fig 4, shows a process, the process would be implemented by a processor that requires a "computer readable medium", e.g., a RAM, to function

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fyfe as applied to claim1 above, and further in view of Matsugatani et al. (US20020080778) (hereinafter Matsugatani).

Per claim 2, Fyfe discloses the mobile communication terminal according to claim 1, but fail to disclose further comprising: a radio wave monitoring section which monitors a status of radio wave reception at a current location, wherein the communication interface selecting section selects the communication interface in accordance with the monitored status of the radio wave reception.

However, Matsugatani discloses a radio wave monitoring section which monitors a status of radio wave reception at a current location (paragraph 0038), wherein the communication interface selecting section selects the communication interface in accordance with the monitored status of the radio wave reception (paragraphs 0040, 0044 and Fig 3, ref. 27, 28).

Therefore, one skilled in the art would have found it obvious from the combined teachings of **Fyfe**, which provides plurality of Number Assignments Modules (NAM) interfaces and **Matsugatani**, provides monitoring device for signal strength as a whole to produce the invention as claimed with a reasonable expectation of achieving and maintaining quality signal for communication.

13. Claims are 4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fyfe and further in view of Raviv.

Per claim 4, Fyfe discloses a mobile communication system comprising: a mobile communication terminal including: a plurality of communication interfaces (abstract); a communication interface selecting section which selects a communication interface via which the mobile communication system transmit data from the plurality of communication interfaces (abstract, col.4 lines 45-55, col.5 lines 3-7); a mobile communication terminal identification address assigning section which assigns a mobile communication terminal identification address for identifying the mobile communication terminal to data (col.4 lines 42-54); a communication interface identification address assigning section which assigns a communication interface identification address for identifying the selected communication interface to the data (col.4 lines 13-30); and a



transmitting section which transmits the data being assigned with the two kinds of addresses via the selected communication interface (col.2 lines 3-22, col.3 lines 3-23); but fail to disclose a mobile communication managing apparatus including: a mobile communication terminal side receiving section which receives the data from the mobile communication terminal; an address storing section which stores an address table in which the mobile communication terminal identification address and the communication interface identification address that are assigned to the received data are associated with each other; a communication apparatus side transmitting section which transmits the data received by the mobile communication terminal side receiving section to a certain destination; a communication apparatus side receiving section which receives data being assigned with a mobile communication terminal identification address; a communication interface detecting section which detects a communication interface identification address that corresponds to the mobile communication terminal identification address being assigned to the data received by the communication apparatus side receiving section based on the address table; and a mobile communication terminal side transmitting section which transmits the data received by the communication apparatus side receiving section via the detected communication interface.

However, Raviv discloses a mobile communication managing apparatus including: a mobile communication terminal side receiving section which receives the data from the mobile communication terminal (paragraph 0249 and 0250); an address storing section which stores an address table in which the mobile communication

terminal identification address and the communication interface identification address that are assigned to the received data are associated with each other (paragraph 0253, 0257 and 0284); a communication apparatus side transmitting section which transmits the data received by the mobile communication terminal side receiving section to a certain destination (paragraph 0252, **i.e. certain destination is sending data to the network servers**; a communication apparatus side receiving section which receives data being assigned with a mobile communication terminal identification address (paragraph 0252); a communication interface detecting section which detects a communication interface identification address that corresponds to the mobile communication terminal identification address being assigned to the data received by the communication apparatus side receiving section based on the address table (paragraph 254); and a mobile communication terminal side transmitting section which transmits the data received by the communication apparatus side receiving section via the detected communication interface (paragraph 0245, **i.e. data is sent through authorization server and responses sent via interface apparatus to the mobile device**).

Therefore, one skilled in the art would have found it obvious from the combined teachings of Fyfe and Raviv , which provides an apparatus for supporting a mobile device for mobile and data communication as a whole to produce the invention as claimed with a reasonable expectation of achieving overall efficiency for mobile and data communications via supporting apparatus, and by matching identification data by the mobile terminal.

Per claim 8, refer to same rationale as explained in claim 4.

Per claim 9, refer to same rationale as explained in claim 3 (Raviv, paragraph 0249, 0250 and 0254).

15. Claim5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fyfe, Raviv, as applied to claim4 above, and further in view of Matsugatani and Urabe (US6125282).

Per claim 5, the combination disclose the mobile communication system according to claim 4, wherein Matsugatani discloses the mobile communication terminal includes a switching informing section which transmits a switch information signal to the mobile communication managing apparatus when the communication interface selecting section selects another communication interface from the plurality of communication interfaces (paragraphs 0033, 0034 0040, 0043 and 0044), the mobile communication managing apparatus includes a switching signal receiving section which receives the switch information signal (paragraph 0036); Urabe discloses the switch information signal being assigned with the mobile communication terminal identification address and a communication interface identification address corresponding to the communication interface to be newly selected (col.7 lines 53-67 col.8 lines 1-18), and the address storing section stores the address table in which the mobile communication terminal identification(i.e. **communication terminal ref.11, Fig 3**) address and the communication interface (i.e. **informational terminal ref. 21, Fig 3**) identification

address that are assigned to the switch information signal are associated with each other (col.7 lines 1-15 and col.9 lines 13-47).

Therefore, one skilled in the art would have found it obvious from the combined teachings of Fyfe, Raviv, Matsugatani, **Urabe**, provides control terminal that analyzes information from many devices where identification is stored in several database as a whole to produce the invention as claimed with a reasonable expectation of achieving identifying terminal address and communication interface data for detecting the mobile device for effective communication.

### ***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Contacts**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH DEAN, JR whose telephone number is (571)270-7116. The examiner can normally be reached on Monday through Friday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOSEPH DEAN, JR/  
Examiner, Art Unit 2617

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617